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State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Edward A. Hogan, Esq.
Porzio, Bromberg & Newman
163 Madison Avenue
Morristown, NJ 07960

DIVISION OF HAZARDOUS WASTE MANAGEMENT
CN 028
Trenton, N.J. 08625-0028
(609) 633-7141
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Dear Mr. Hogan:

JUL 31 1990

RE: Industrial Establishment: Hexcel Corporation-Industrial Chemical Group a.k.a. Fine Organics, Inc.
Location: 205 Main Street, Lodi Borough, Bergen County
Block: 81-A;161-A Lot: 10-A; 1A, 2A
Transaction: Sale of property and business
Cleanup Plan Dated: 3/1/89 and Response to draft Cleanup Plan approval dated 12/12/89.
ECRA Case #86009

Pursuant to the authority vested in the Commissioner of the New Jersey Department of Environmental Protection ("NJDEP") by the Environmental Cleanup Responsibility Act, N.J.S.A. 13:1K-6 et seq. (ECRA), and duly delegated to the Assistant Director of the Industrial Site Evaluation Element pursuant to N.J.S.A. 13:1B-4, the above referenced Cleanup Plan submitted on behalf of Hexcel Corp is hereby approved by NJDEP as conditioned below:

Part I-Cleanup Concentrations

Soils

1. Hexcel Corp.'s cleanup levels for soils are as follows:

Required Cleanup Levels

Volatile Organics	1 ppm
TPHC	100 ppm
PCBs	1 ppm

Please be advised that the target cleanup concentrations for the compounds of concern at this facility are as referenced above. Hexcel Corp. is required to implement the proposed Cleanup Plan with those goals in mind until such time as Hexcel Corp. can demonstrate technically that no further remediation is achievable. At that time and subsequent to the Department's review of the data documenting the status of the remedial effort, the Department will evaluate the appropriateness of alternative final cleanup concentrations. At this time Metals, base neutrals and acid extractable contamination appears relatively insignificant at this site and therefore not driving the cleanup. However, pending the review of the additional sampling and information as required herein modifications of the cleanup may be required for full compliance.

2. Hexcel Corp. shall submit a detailed plan of excavation of all soil contamination above the approved cleanup levels, including a proposal for post excavation/confirmation sampling, if the proposed remediation/pilot testing can not meet the required objectives.

Interior Decontamination

3. The interim cleanup goal for PCBs shall be 1 ppm for porous surfaces and 100 ug/cm2 for non-porous surfaces. The Department will re-evaluate these goals after submittal of the post-decontamination results.

Ground Water

4. The cleanup concentration requirements for ground water contamination will be set at a later time when all on and off-site receptors of contaminated ground water discharge have been identified. At that time, Hexcel Corp. shall propose cleanup concentrations. Hexcel Corp. can apply to the Department for Alternative Concentration Limits (ACLs) as stipulated in N.J.A.C. 7:14-6.15. Due to the high levels of ground water contamination at the site, Hexcel Corp. shall immediately begin implementation of the of ground water cleanup.

Part- II Required Schedule

Phase 1

- Within 30 days submit carbon copies of all required permits and the requests for off site wells and documentation proving the under ground storage tanks on site are empty.
- Within 60 days install all required wells with the exception of Building II which shall be installed within 75 days, and submit a completed well search.
- Remove structures within boiler room and properly dispose of PCB contaminated soils and sorbents.
- Design and install the oil recovery well and piezometers within the boiler room.
- conduct additional wipe sample testing of building surfaces for PCB's.
- Complete initial decontamination of the boiler room and pit in Building I.
- Abandon the existing industrial sewer and floor drain systems and construct new systems including cleanup of sediment accumulations.
- Revise SPCC Plan including improvements of existing chemical storage areas.
- conduct all required confirmation sampling.

Phase II

- Implement ground water remediation as follows:

  a. Begin to establish hydraulic control of the PCB plume within 90 days and establish full hydraulic within 120 days.

  b. Install and begin operation of the shallow well point system and the french drain systems within 150 days.

- Submit a detailed interim report that includes the results of all soils confirmation and a complete site clean up status including documentation of the of all Phase I activities within 100 days.

- Submit documentation that all Phase I are completed within 150 days.

- Conduct all pilot studies for soils concurrently with the implementation of the ground water remediation and implement the cleanup.

Phase III - Conduct monitoring/testing for confirmation of soils clean up and submit a report detailing the clean up within 240 days. This shall include, if necessary, a proposed final schedule for monitoring and the completion of the remediation of any remaining soil contamination.

- Conduct any remaining interior decontamination (i.e. Building I pit) after the flow of free product is ceased and submit the results within 360 days.

- Conduct monitoring of the ground water clean up pursuant to the requirements of the NJPDES permit.

* All required time frames are from receipt of approval.

Part III - Ground Water and Soil Cleanup/Confirmation Sampling Requirements

Ground Water Confirmation Requirements

5. A New Jersey Pollution Discharge Elimination System (NJPDES) Discharge to Ground Water (DGW) Corrective Action Permit will establish a reporting schedule for ground water sampling and hydraulic monitoring for the duration of the clean up. The Department anticipates that chemical testing for indicator parameters may be required quarterly, with more comprehensive annual analyses. Specific requirements will be established by the Department, Hexcel Corp., and the public during the public notice phase of the Draft NJPDES Permit.

6. Hexcel Corp. shall install a well cluster in the sidewalk across Main Street from HW1/HW17 as conditioned below. Please be advised that this well cluster is required at this time to define the magnitude and source of the contamination and to establish the presence or absence of an up gradient clay layer. A soil gas survey will not provide this information.

A. Within 30 days of Cleanup Plan approval, Hexcel shall submit to BEECRA a copy of the written request to either Lodi Boro, Bergen County, or the State DOT (depending on jurisdiction) seeking access to install a cluster well in the sidewalk across Main Street from cluster location MW1/MW17. The request shall be made within 5 days from receipt of this approval.

B. Within 60 days of receipt of all necessary approvals a cluster well shall be installed in the referenced location. Two inch wells are acceptable. If the clay layer is encountered in the borehole, Hexcel shall install a well cluster to similar specifications as cluster MW1/MW17. If the clay layer is

not encountered, Hexcel shall install a single well approximately 20 feet deep with a five foot screen length (similar to MW1).

7. Hexcel Corp. shall install, within 60 days of this approval, a shallow monitor well approximately 120 feet northeast of cluster location MW4/MW5 along the fence behind the restaurant. Please be advised that this monitoring well is required to document any potential impacts to the restaurant and if it is necessary a soil gas survey of the area may be a useful tool to delineate at this location.

A. Well construction shall be similar to that of MW4: set the from the top of the clay to approximately two feet above the water table.

B. If the clay is not encountered, then a cluster well is required. The shallow well shall have eight feet of screen with the top set two feet above the water table; the deep well shall have five feet of screen with the bottom set at the top of bedrock.

C. Soil gas monitoring data shall be collected while drilling this well as a screening tool to assess potential vapor impacts to the restaurant. Hexcel shall determine whether the restaurant has a basement or crawl space beneath it; if so, Hexcel shall perform air monitoring here also as part of vapor assessment.

8. Hexcel shall install two shallow wells in Molnar Road as conditioned below.

A. Within 30 days of Cleanup Plan approval, Hexcel shall submit to BEECRA a copy of their written request to the Boro of Lodi requesting a road opening permit to install a minimum of two shallow wells in Molnar Road. The request shall be made within 5 days from receipt of this approval.

B. Within 60 days of receipt of the Boro's permission, Hexcel shall install the two wells, one immediately west of boring 107, one immediately east of boring 109.

C. If the clay is encountered approximately seven feet below grade, Hexcel shall install four (4) feet of screen.

D. Cement should be used instead of cement-bentonite grout to seal the well annulus due to the heavy truck traffic in Molnar Road.

9. Within 30 days Hexcel Corp. shall submit a copy of the written request to Knapp Chemical seeking site access to install a shallow monitor well in their parking lot approximately 20 feet south of the property line, as proposed by Hexcel. This monitoring well shall be installed within 60 days of Knapp Chemical's approval. This request shall be made within 5 days from receipt of this approval.

10. Hexcel Corp. shall, within 75 days from receipt of this approval, install minimum of four monitoring wells or piezometers in the floor of building II and one monitoring well at boring 502 as conditioned below. Please be advised that these wells/ piezometers are a required for further characterization of this area and for hydraulic monitoring during ground water clean up. Specifically, the boring at 502 will provide static water levels over time near the hinge(axis) of the clay high. These monitoring wells may also be useful if soil venting is appropriate for this area.

A. Hexcel shall install single wells/piezometers near borings 604 and 610. These wells/piezometers should be set just above the concrete refusal encountered at about 14 feet below the floor in each boring.

B. Hexcel shall install a cluster well/piezometer near Boring 605; set the shallow well/piezometer above the concrete (encountered at 16.5 feet below the floor), the "deep" well/piezometer should be double cased into the concrete and have a two foot screen length set just below the concrete,in the clay.

C. Hexcel shall install a single well at boring 502.

D. Hexcel shall propose in writing, before installing these wells or piezometers, the proposed installation method. If a tripod rig is used, Hexcel shall specify how the bore holes will be kept open while the wells are installed.

E. If these wells accumulate water and/or product, samples shall be analyzed for volatile organic compounds (VOCs) plus a library search for the first 15 tentatively identified compounds using EPA Method 624. If the wells remain dry, vapor samples should be collected from them and appropriately analyzed for VOCs.

11. Hexcel Corp. shall within 75 days of this approval install the four piezometers in AEC 15, as proposed by Hexcel.

12. Hexcel Corp. shall within 60 days of this approval install a shallow aquifer monitoring well near boring 904. Please be advised that this well is required to monitor water levels during clean up and a soil gas survey may be useful for delineation but will not provide the necessary information.

13. Hexcel Corp. shall within 60 days of this approval submit a proposal to determine all on and off site receptors of contaminated ground water discharge. This information is required to document the potential affects of contaminated ground water at this site and to facilitate final decisions regarding the need for further remediation and investigation. Following are two specific reasons for this investigation.

A. If natural discharge from both aquifers is into Saddle River, aquifer remediation criteria would be less conservative than if the overburden aquifer(s) serve to recharge the underlying bedrock aquifer away from the site. Determining receptors of contaminated ground water discharge will facilitate the Department's consideration of Hexcel Corp.'s request for Alternate Concentration Limits (ACL).

To persuasively establish whether the lower unconsolidated aquifer discharges into the stream bed, Hexcel shall determine the stream bed stratigraphy, which may require Hexcel to install piezometers across the stream and/or in the stream bed and to place staff gauges in the stream bed. Piezometers are required to provide hydraulic head data to determine whether this is a gaining or losing stream. Steam bed piezometers can be driven into the steam bed, they do not need to be drilled. Steam bed sediment samples shall also be collected to determine particle size and sorting.

B. Investigation of the ground water quality in the shallow bedrock aquifer does not appear to be necessary if Hexcel can demonstrate that the unconsolidated aquifers do not recharge the bedrock aquifer in the vicinity of

the site. Hexcel Corp. shall determine that receptors and conduct a well search as specified below to document a bedrock aquifer investigation is not required.

14. Hexcel Corp. shall, within 60 days from receipt of this approval, submit the results of a well search within a half mile radius of the site. In addition to searching the well records file on microfiche at the Bureau of Water Allocation, Hexcel shall contact the Bergen County Health Department and the local health department, if applicable, for additional data. Submit an appropriately scaled map depicting all wells, and a table of well specifications including but not limited to depth, length of casing, pump setting, pumping level, yield, water use and water quality. All closed and "out of service" potable wells found shall also be plotted.

Ground Water Cleanup Conditions

15. Hexcel shall immediately apply for all anticipated permits and shall send copies in duplicate of all permit applications to this bureau within 30 days from receipt of this approval.

A. A NJPDES SIU Permit, Bureau of Industrial Discharge Permits (609-292-4860).

B. A Sewer Extension Permit for rebuilding.replacing the industrial sewer and construction of any sewer pumping facilities from the Bureau of Construction and Connection Permits, WWFME, (609-984-4429).

C. An air cleanup apparatus from the Bureau of New Source Review, Engineering and Technology Element, DEQ (609-292-6716).

D. A NJPDES Discharge to Ground Water Permit to establish a ground water quality (sampling) and hydraulic monitoring and reporting schedule for the duration of the cleanup from the Bureau of Information Services (609-984-4428).

E. A NJPDES Discharge to Surface Water Permit from the Bureau of Industrial Discharge Permits if the SIU Permit is denied.

F. A Treatment Works Approval from the Bureau of Industrial Discharge Permits (609-292-4860).

16. Hexcel Corp. shall install the proposed shallow well point system for pumping ground water from the water table along Main Street (up gradient) with the following conditions. Please be advised that the Department does not feel that a soil gas survey is warranted.

A. The well point pumping system shall be operational within one hundred and fifty (150) days from receipt of this approval.

B. One or more deeper wells points may be required due to the discontinuity in the clay layer in the vicinity of MW17.

C. Remediation of the lower unconsolidated aquifer may not be warranted given the contaminant levels as currently established. However, remediation of this aquifer may be necessary at AEC 15 and in the vicinity of MW1. Cleanup of the lower aquifer shall not be implemented until the additional delineation of contaminant distribution in the lower aquifer is complete and

the upper aquifer remediation systems are operating.

17. Hexcel Corp. shall install the proposed pumping well to capture the PCB/waste oil plume beneath the boiler room with the following conditions.

A. Hexcel Corp. shall establish Hydraulic Control of the plume within 90 days from receipt of this approval.

B. If the single pumping well is not controlling the plume (as shown by head response in the monitor wells and piezometers) and beginning to recover the plume within the 90 day time frame, additional recovery wells shall be installed and operating within 120 days of Cleanup Plan approval.

18. Hexcel Corp. shall install the two proposed french drains to capture the dense non-aqueous phase liquid (DNAPL) plume and the aqueous-phase plume with the following conditions:

A. The french drain systems shall both be installed and operating with 150 days from receipt of this approval.

B. The french drain adjacent to the Saddle River shall extend northward to within forty feet of the pump house.

C. De-watering of the lower aquifer may be necessary for installation of the French drains in the upper aquifer. If so pumping rates and volumes should be carefully monitored to minimize head decrease in the lower aquifer.

Lowering the pressure head of the lower aquifer at the back of the facility (along the Saddle River) by pumping during installation or during clean up may cause more contaminants to migrate downward into it. Re-injection of decontaminated water into the lower aquifer at the upgradient (northeastern) side of the site along the fence line separating AEC #11 from the exit ramp of Route 46 should prevent head loss in the lower aquifer.

Hexcel Corp. shall therefore monitor the aquifer heads during remediation activities. If it is discovered that the head in the upper aquifer is higher than the head in the lower aquifer, Hexcel Corp. shall either re-inject treated ground water or use some other technique to prevent vertical contaminant migration into the lower aquifer.

D. Air emissions of volatile organic compounds may need to be controlled during trenching and french drain installation to prevent unacceptable air emissions to workers and the general public.

E. Hexcel Corp. shall submit copies of all manifests for disposal of water during French drain installation with a summary of all activities.

19. Hexcel Corp. shall periodically evaluate the effectiveness of the DNAPL and LNAPL recovery systems. If the results of these evaluations indicate that the rate of DNAPL or LNAPL removal is inadequate to meet site remediation objectives, Hexcel shall investigate other demonstrated technologies for enhancement of DNAPL and/or LNAPL removal rates.

Soil Confirmation Requirements

20. Confirmation sampling is required prior to implementation of soil remediation and shall begin immediately to fully define the limits and all sources of contamination on site. The results of sampling shall be submitted to the Department in an interim report due within 100 days from receipt of this document. Please be advised that a soil gas survey is unacceptable for confirmation as it is qualitative and not proven for this site. The following confirmation sampling shall be conducted:

A. Confirmation sampling shall utilize field screening of soil samples using the 9/88 sampling round method (a 10.2 and a 11.7 ev lamp shall be used). This method was demonstrated effective for this site as evidenced by only a single anomaly for a shallow (18-24") sample (401:HNu = 20/50 ppm, VO = 0.1 ppm). Note that positive correlation occurs when an HNu reading of 1 ppm or higher is obtained in the field and the split sample measures 1 ppm or higher when lab analyzed for total VO.

B. Two potential sources to contamination in monitoring wells MW1 and HW17 shall be included in the sampling are:

1. A former drum storage area at the maintenance building;

2. and a possible tank farm at the southeast corner of the maintenance building as observed in the 1940 aerial photo of the site.

C. All conditions of the NJDEP letter dated December 28,1987 shall be implemented. The specific conditions of that letter shall be implemented as follows.

1. Conditions listed for Item #20 Areas #s 1,5,6,8, and 13. Please be advised that if a drill rig, tripod rid, or other power equipment can not gain access to these areas than hand tools/augers shall be used to obtain the necessary samples. In addition, please also be advised that in Area #6 boring 602 is insufficient and a boring just outside of Building 11 at the corner of the tank farm is still required, in Area #8 boring 1401 is insufficient as it was not properly located, and in Area #8 sampling is still required at locations adjacent to the sewer lines running into the manhole.

2. Conditions provided in Item #23. Please be advised that the full QA/QC documentation has not been submitted to the Department to meet this requirement and these samples are necessary to document current site conditions.

3. All proposed borings at sample point C3 (Surface spill or individual sewer leak) as per the Princeton Aqua Science-August 1985 investigation).

4. If any of the above sampling detects contaminants above action levels delineation shall be conducted.

21. Hexcel Corp. shall sample the sediments at the storm sewer outfall to the Saddle River quarterly for PCBs until the sewer connection is closed. The first round shall be submitted in the interim report and each subsequent round shall be submitted on a quarterly basis.

The following information shall be submitted as part of the interim report:

A. The electron voltage rating of the HNu probe used for the 9/88 sampling.

B. The following quality control quality assurance (QA/QC) information, clarification, and actions are required.

1. Documentation indicates that samples from boring 801, 1401, 1302, 103, 1303 and 1506 may have been improperly preserved. Hexcel Corp. shall document proper preservation of all samples collected. If preservation of samples was improperly performed, all samples delineating the "clean zones" shall be resampled and the results submitted within 100 days from receipt of this letter.

2. Chain of custody for HW1 thru 5, 8, 9, 12, and 15 were completed incorrectly. Hexcel shall provide clarification and documentation for gaps in all chain of custody records and shall properly complete records for all future sampling. The courier shall be noted on all chain custody forms.

3. Methylene chloride was detected in soil sample 0702-SB0300 (18-24") at 5.8 ppm but was <u>not</u> reported on site map. Data shall be reviewed by applicant and these and other errors corrected and addressed in the interim report.

4. "Medium" level analyses for organics were utilized for several samples and are acceptable, however, if blanks are contaminated, detection limits may be above action level. Clean zone samples shall be reviewed by applicant to ensure that "low"level analyses were utilized and action levels were not compromised. If the detection limits were above action level in any clean zone samples these locations shall be resampled to confirm the clean zone.

22. Hexcel Corp. shall screen borings at numbers 201, 301, 502, 602, 801, 901, 1001, and 1102 (background) at 1 foot intervals from the ground surface to the water table using a downhole gamma logger. Any samples above background shall be submitted for laboratory analysis for Thorium 228 and Uranium 234. Please be advised that the Department of Energy sampling data submitted is insufficient as it does not screen the worst case areas of the site.

23. Hexcel Corp. shall depict on a single map as mg/kg all soil data above action levels for volatile organics, total petroleum hydrocarbon, and PCB's from <u>all</u> sampling rounds including the Princton Aqua Science data. This is feasible if it completed area by area.To ensure that the map will be adequate Hexcel Corp. shall submit for approval, a draft map for a single area of concern prior to submittal of the interim report.

<u>Soils Cleanup Conditions</u>

24. Hexcel Corp. shall remove and properly dispose of all soil from the containment areas for tanks #s 9, 10, 11, and 12 and shall document that the structures have a concrete bottom and their integrity is intact. The results of this inspection shall be submitted with pictures of the structures as part of the interim report.

25. Hexcel Corp. shall test the integrity of all above ground tanks which may have contained solvents which were detected in soil and ground water. The Department requires that a hydrostatic test or other liquid or air pressure test be conducted to document the tanks integrity.

26. Hexcel Corp. shall collect chip samples for all porous surfaces and wipe samples for all non-porous surfaces to evaluate the effectiveness of interior decontamination. All initial post-decontamination sampling shall be biased to the worst areas of contamination.

27. Hexcel Corp. shall include the steam tunnel in the Building 1 decommissioning plan and any residue in the tunnel shall be analyzed for PCBs and volatile organics. The location of the tunnel shall be on all future site maps. Oil floor seeps and sludge were present in the tunnel during the 8/15/86 site inspection, however, none was present during the 9/88 sampling.

28. Hexcel Corp's remediation plan for soils is acceptable; however, tasks shall be implemented during Phase II of the cleanup.

The proposed methods for soil cleanup: bioremediation, soil flushing, or vapor stripping are all acceptable technologies for this site and a combination of these will probably be most effective. Bioremediation will take longer and vinyl chloride, a potent carcinogen, may be an end product. Generally, an ideal strategy for this site would be free product removal and "hot spot" removal for PHC above 2000 ppm and dewatering to enhance soil gas extraction at "worst case" areas; route contaminated water through a stripping tower or carbon column and use this "clean" water to flush soils at other less contaminated areas of site.

A. Pilot studies for soil gas extraction and in site PHC/PCB cleanup shall be completed concurrently with the implementation of the free product removal and ground water remediation and the results of the pilot tests shall be submitted. Remediation of soils is required at this time to begin to control the source of the ground water contamination.

B. Cleanup and reconditioning of the sewerage system shall be implemented during Phase 1. The progress of this action shall be submitted in the interim report and this task shall be completed within 150 days from receipt of this document.

C. Improvements of the Chemical storage contaminant shall be implemented during Phase 1. The progress of this action shall be submitted in the interim report and this task shall be completed within 150 days from receipt of this document.

29. Hexcel Corp. shall submit, within 30 days of this approval, documentation (i.e. inspection results) that proves the three under ground storage tanks are completely empty and shall within 150 days from receipt of this approval, submit documentation that the following additional actions are completed regarding the three underground tanks.

A. Remove or properly abandon the two underground tanks located in front of the boiler room.

B. Remove the abandon underground gasoline tank (HEC 7).

C. Within 30 days from receipt of this approval register all under ground storage tanks on site with the NJDEP Bureau of Underground Storage Tanks (609) 984-3156.

30. Hexcel Corp. may be required to record a restriction in the deed if

contamination on site is not remediated to the Department's approved cleanup levels. At the Department's request Hexcel Corp. shall submit for review a Deed Restriction that meets the minimum requirements pursuant to Attachment A (enclosed).

Part IV - General Cleanup Plan Conditions

31. Hexcel Corp. shall comply with all federal, state and local laws, regulations and ordinances in implementing the approved Cleanup Plan.

32. Hexcel Corp. shall obtain all federal, state and local permits prior to implementation of the approved Cleanup Plan. Should any conditions or limitation of said permits be more stringent that those in the approved Cleanup Plan, then said permit requirements shall supersede the terms of this approval.

33. Upon the written request of NJDEP Hexcel Corp. shall submit for NJDEP review and approval any additional sampling plans deemed necessary by NJDEP during the implementation of a Cleanup Plan to fully delineate the nature and extent of environmental contamination on or from Hexcel Corp. Hexcel Corp. shall implement and complete any such additional Sampling Plans, and submit the results thereof, in accordance with the timeframe set forth in the approved additional Sampling Plan. Furthermore, Hexcel Corp. shall prepare and submit to NJDEP for approval, any revisions to the Cleanup Plan necessary to remediate any additional environmental contamination on or from Hexcel Corp. as identified during the cleanup plan implementation, by any additional sampling, or from any other source. Hexcel Corp. shall revise and submit the required information within a reasonable time not to exceed thirty (30) calendar days from receipt of written notification from NJDEP.

34. The ECRA requirement for remediation of all environmental contamination on or from Hexcel Corp. and the terms and conditions of the approved Cleanup Plan shall be binding upon Hexcel Corp., and its officers, management officials, successors in interest, assigns, tenants and any trustee in bankruptcy or receiver appointed pursuant to a proceeding in law or equity.

35. Hexcel Corp. within fourteen (14) days of receipt of this Cleanup Plan approval, shall amend the amount of posted financial assurance specified in paragraph Hexcel Corp. of the Administrative Consent Order to equal the amount of $ 4,000,000 the estimated cost of implementation of the Cleanup Plan or shall provide alternative financial assurance in accordance with the regulatory requirements of N.J.A.C. 7:26B-6 in the amount specified above. Furthermore, Hexcel Corp. shall maintain the required financial assurance until NJDEP issues Hexcel Corp. a written notification that the Cleanup Plan had been fully implemented to NJDEP's satisfaction.

36. Hexcel Corp. shall prepare and submit to NJDEP monthly written progress reports detailing the implementation of the Cleanup Plan.

37. Hexcel Corp. shall prepare and submit a final written report detailing the actual cleanup actions performed and final cleanup costs including overhead, compared to the cleanup actions, schedule and costs approved in the Cleanup Plan. The report should also include dates of cleanup activities, additional sampling results and other pertinent information.

38. Hexcel Corp. shall provide, within fourteen (14) calendar days of receipt of this Cleanup Plan approval, oversight fees in the amount of $12,000, based

on the cost of the cleanup, in accordance with the regulatory requirements of N.J.A.C. 7:26B-1.10.

39. Hexcel Corp. shall submit all results, proposals and reports in triplicate.

40. Hexcel Corp. shall notify the NJDEP in writing and by telephone a minimum of fourteen days prior to the implementation of all sampling and fieldwork. Failure to properly notify the NJDEP regarding pending field work will result in appropriate enforcement action pursuant to ECRA.

41. Hexcel Corp. shall initiate the Cleanup Plan as conditioned in this letter within two (2) weeks of receipt of this letter, and in accordance with N.J.A.C. 7:26B-5.5(c), begin implementation of this Cleanup Plan according to the required time schedule. If any delay or anticipated delay had been or will be caused by events beyond the control of Hexcel Corp., then Hexcel Corp. shall notify NJDEP in writing within ten (10) days of the delay, describing the delay in precise cause or causes and requesting an extension. Increases in the costs or expenses incurred in fulfilling the requirements contained in this letter shall not be a basis for an extension and such extension requests will not be granted. If Hexcel Corp. fails to implement the Cleanup Plan in accordance with the proposed schedule, the NJDEP reserves the right to implement full enforcement measures and assess penalties pursuant to N.J.A.C. 7:26B-9.

NJDEP's approval, as conditioned above, is limited to the above referenced Cleanup Plan only. This Cleanup Plan approval shall not limit, restrict or prohibit NJDEP from directing on-site or off-site cleanup, if deemed necessary by NJDEP, under any other statute, rule or regulation. Hexcel Corp. is hereby required to fully implement the referenced Cleanup Plan, as conditioned above, in accordance with the time schedule as set forth therein.

Sincerely,

Karl J. Delaney, Assistant Director
Industrial Site Evaluation Element

c: Tina O'Brien, BEAC
Brian Sagorka, BEERA
Jeffery Fehr, BGWDC
Michael Guardino , Bergen County Dept. of Health Services
William Nosil, Hexcel Corp.